IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 10023 of 2002

Between:

J.Subbalaxmamma, W/o. Jayam Subrhmanyam Setty,
R/o. 9B/48, Vidyanagar,
Kalyandurg, Anantapur District.

..... PETITIONER

AND

1 The Mandal Revenue Officer,
Kalyandurg Mandal, Anantapur Distirct.
2 The Divisional Engineer (R&B),
Kalyandurg Mandal, Anantapur Distirct.
3 Assistant Engineer (R&B),
Kalyandurg Mandal, Anantapur Distirct.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ of mandamus or any other appropriate writ or direction declaring the action of the respondents in proposing tot demolish the building bearing D.No.8/168, Kalyandurg, Anantapur District without serving notice as illegal, arbitrary and without jurisdiction and pass

Counsel for the Petitioner: Mr.O.Manoher Reddy, Advocate

Counsel for the Respondent No.: GP for R & B, Not present

The Court made the following :

ORDER:

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The petitioner has filed this Writ Petition seeking Writ of Mandamus, to direct the respondents not to demolish the building bearing D.No. B/168, situated in Kalyandurg, Anantapur District.

It is the case of the petitioner that for the purpose of widening the road, steps were being taken to demolish the premises, in absence of consent from her, and, without initiating proceedings for acquisition under the provisions of the Land Acquisition Act, 1894.

This Court, at the stage of admission, has ordered to maintain status quo, by order dated 18-6-2002.

Though the Writ Petition is of the year 2002, no counter affidavit is filed on behalf of the respondents.

Inasmuch as it is the case of the petitioner that she has not given any consent, and, no proceedings are initiated under the provisions of the Land Acquisition Act, 1894, for acquisition, I dispose of the Writ Petition directing the respondents not to deprive the house property of the petitioner, as otherwise than due process of law.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs.

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JUSTICE R. SUBHASH REDDY

DATED: 07-07-2005

Msnr.

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Mandal Revenue Officer,
Kalyandurg Mandal, Anantapur Distirct.
2 The Divisional Engineer (R&B),
Kalyandurg Mandal, Anantapur Distirct.
3 Assistant Engineer (R&B),
Kalyandurg Mandal, Anantapur Distirct

4. Two ccs to the Govt. Pleader for Roads and Buildings, High Court of AP, Hyderabad (OUT)

5. Two CD copies.